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Speech

of

Hon. B. F. Wade, of Ohio

on

The State of The Union

Wash. DC.

1860

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S P E E C H

HON. B. F. WADE, OF OHIO,

ON

THE STATE OF THE UNION,

DELIVERED IN

THE SENATE OF THE UNITED STATES, DEC. 17, 1860.

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## S P E E C H .

The Senate resumed the consideration of the resolution of Mr. POWELL, to refer so much of the President's message as relates to the present agitated and distracted condition of the country, to a special committee of thirteen.

Mr. WADE. Mr. President, at a time like this, when there seems to be a wild and unreasoning excitement in many parts of the country, I certainly have very little faith in the efficacy of any argument that may be made; but at the same time, I must say, when I hear it stated by many Senators in this Chamber, where we all raised our hands to Heaven, and took a solemn oath to support the Constitution of the United States, that we are on the eve of a dissolution of this Union, and that the Constitution is to be trampled under foot—silence under such circumstances seems to me akin to treason itself.

I have listened to the complaints on the other side patiently, and with an ardent desire to ascertain what was the particular difficulty under which they were laboring. Many of those who have supposed themselves aggrieved have spoken; but I confess that I am now totally unable to understand precisely what it is of which they complain. Why, sir, the party which lately elected their President, and are prospectively to come into power, have never held an executive office under the General Government, nor has any individual of them. It is most manifest, therefore, that the party to which I belong have as yet committed no act of which anybody can complain. If they have fears as to the course that we may hereafter pursue, they are mere apprehensions—a bare suspicion; arising, I fear, out of their unwarrantable prejudices, and nothing else.

I wish to ascertain at the outset whether we are right; for I tell gentlemen, if they can convince me that I am holding any political principle that is not warranted by the Constitution under which we live, or that trenches upon their rights, they need not ask me to compromise it. I will be ever ready to grant redress, and to right myself whenever I am wrong. No man need approach me with a threat that the Government under which I live is to be destroyed; because I hope I have now, and ever shall have, such a sense of justice that, when any man shows me that I am wrong, I shall be ready to right it without price or compromise.

Now, sir, what is it of which gentlemen complain? When I left my home in the West to come to this place, all was calm, cheerful, and contented. I heard of no discontent. I apprehended that there was nothing to interrupt the harmonious course of our legislation. I did not learn that, since we adjourned from this place at the end of the last session, there had been any new fact intervening that should at all disturb the public mind. I do not know that there has been any encroachment upon the rights of any section of the country since that time; and therefore expected to have a very harmonious session. It is very true, sir, that the great Republican party which has been organized ever since you repealed the Missouri compromise, and who gave you four years ago full warning that their growing strength would probably result as it has resulted, have carried the late election; but I did not suppose that would disturb the equanimity of this body. I did suppose that every man who was observant of the signs of the times might well see that things would result precisely as they have resulted. Nor do I understand now that anything growing out of that election is the cause of the present excitement that pervades the country.

Why, Mr. President, this is a most singular state of things. Who is it that is complaining? They that have been in a minority? They that have been the subjects of an oppressive and aggressive Government? No, sir. Let us suppose that when the leaders of the old glorious Revolution met at Philadelphia eighty-four years ago to draw up a bill of indictment against a wicked King and his ministers, they had been at a loss what they should set forth as the causes of their complaint. They had no difficulty in setting them forth so that the great article of impeachment will go down to all posterity as a full justification of all the acts they did. But let us suppose that, instead of its being these old patriots who had met there to dissolve their connection with the British Government, and to trample their flag under foot, it had been the ministers of the Crown, the leading members of the British Parliament, of the dominant party that had ruled Great Britain for thirty years previous: who would not have branded every man of them as a traitor? It would be said: "You who have had the Government in your own hands; you who have been the ministers of the Crown, advising everything that has been done, set up here that you have been oppressed and aggrieved by the action of that very Government which you have directed yourselves." Instead of a sublime revolution, the uprising of an oppressed people, ready to battle against unequal power for their rights, it would have been an act of treason.

How is it with the leaders of this modern revolution? Are they in a position to complain of the action of this Government for years past? Why, sir, they have had more than two thirds of the Senate for many years past, and until very recently, and have almost that now. You—who complain, I ought to say—represent but a little more than one fourth of the free people of these United States, and yet your counsels prevail, and have prevailed all along for at least ten years past. In the Cabinet, in the Senate of the United States, in the Supreme Court, in every department of the Government, your officers, or those devoted to you, have been in the majority, and have dictated all the policies of this Government. Is it not strange, sir, that they who now occupy these positions should come here and complain that their rights are stricken down by the action of the Government?

But what has caused this great excitement that undoubtedly prevails in a portion of our country? If the newspapers are to be credited, there is a reign of terror in all the cities and large towns in the southern portion of this community that looks very much like the reign of terror in Paris during the French revolution. There are acts of violence that we read of almost every day, wherein the rights of northern men are stricken down, where they are sent back with indignities, where they are scourged, tanned, feathered, and murdered, and no inquiry made as to the cause. I do not suppose that the regular Government, in times of excitement like these, is really responsible for such acts. I know that these outbreaks of passion, these terrible excitements that sometimes pervade a community, are entirely irrepressible by the law of the country. I suppose that is the case now; because if these outrages against northern citizens were really authorized by the State authorities there, were they a foreign Government, everybody knows, if it were the strongest Government on earth, we should declare war upon her in one day.

But what has caused this great excitement? Sir, I will tell you what I suppose it is. I do not (and I say it frankly) so much blame the people of the South; because they believe, and they are led to believe by all the information that ever comes before them, that we, the dominant party to-day, who have just seized upon the reins of this Government, are their mortal enemies, and stand ready to trample their institutions under foot. They have been told so by our enemies at the North. Their misfortune, or their fault, is that they have lent a too easy ear to the insinuations of those who are our mortal enemies, while they would not hear us.

Northern Democrats have sometimes said that we had personal liberty bills in some few of the States of the North, which somehow trenched upon the rights of the South under the fugitive bill to recapture their runaway slaves—a position that in not more than two or three cases, so far as I can see, has the slightest foundation in fact; and even of those where it is most complained of, if the provisions of their law are really repugnant to that of the United States, they are utterly void, and the courts would declare them so the moment you brought

them up. Thus it is that I am glad to hear the caudor of those gentlemen on the other side, that they do not complain of these laws. The Senator from Georgia [Mr. IVERSON] himself told us that they had never suffered any injury, to his knowledge and belief, from those bills, and they cared nothing about them. The Senator from Virginia [Mr. MASON] said the same thing; and I believe the Senator from Mississippi, [Mr. BROWN.] You all, then, have given up this bone of contention, this matter of complaint which northern men have set forth as a grievance more than anybody else.

Mr. MASON. Will the Senator indulge me one moment?

Mr. WADE. Certainly.

Mr. MASON. I know he does not intend to misrepresent me or other gentlemen here. What I said was, that the repeal of those laws would furnish no cause of satisfaction to the southern States. Our opinions of these laws we gave freely. We said the repeal of those laws would give no satisfaction.

Mr. WADE. Mr. President, I do not intend to misrepresent anything. I understood those gentlemen to suppose that they had not been injured by them. I understood the Senator from Virginia to believe that they were enacted in a spirit of hostility to the institutions of the South, and to object to them not because the acts themselves had done them any hurt, but because they were really a stamp of degradation upon southern men, or something like that—I do not quote his words. The other Senators that referred to it probably intended to be understood in the same way; but they did acquit these laws of having done them injury to their knowledge or belief.

I do not believe that these laws were, as the Senator supposed, enacted with a view to exasperate the South, or to put them in a position of degradation. Why, sir, these laws against kidnapping are as old as the common law itself, as that Senator well knows. To take a freeman and forcibly carry him out of the jurisdiction of the State, has ever been, by all civilized countries, adjudged to be a great crime; and in most of them, wherever I have understood anything about it, they have penal laws to punish such an offence. I believe the State of Virginia has one to-day as stringent in all its provisions as almost any other of which you complain. I have not looked over the statute-books of the South; but I do not doubt that there will be found this species of legislation upon all your statute-books.

Here let me say, because the subject occurs to me right here, the Senator from Virginia seemed not so much to point out any specific acts that northern people had done injurious to your property, as what he took to be a dishonor and a degradation. I think I feel as sensitive upon that subject as any other man. If I know myself, I am the last man that would be the advocate of any law or any act that would humiliate or dishonor any section of this country, or any individual in it; and, on the other hand, let me tell these gentlemen I am exceedingly sensitive upon that same point, whatever they may think about it. I would rather sustain an injury than an insult or dishonor; and I would be as unwilling to inflict it upon others as I would be to submit to it myself. I never will do either the one or the other if I know it.

I have already said that these gentlemen who make these complaints have for a long series of years had this Government in their own keeping. They belong to the dominant majority. I may say that these same gentlemen who rise up on this floor and draw their bill of indictment against us, have been the leaders of that dominant party for many years past. Therefore, if there is anything in the legislation of the Federal Government that is not right, you, and not we, are responsible for it; for we have never been invested with the power to modify or control the legislation of the country for an hour. I know that charges have been made and rung in our ears, and reiterated over and over again, that we have been unfaithful in the execution of your fugitive slave bill. Sir, that law is exceedingly odious to any free people. It deprives us of all the old guarantees of liberty that the Anglo-Saxon race everywhere have considered sacred—more sacred than anything else.

Mr. GREEN. Will the Senator from Ohio allow me to say a word?

Mr. WADE. Certainly.

Mr. GREEN. It is simply this: It has been said that the practical operation of the so-called liberty bills of the North has not affected anybody; but they do act as evidence of a public sentiment adverse to the execution of the Federal law to reclaim our slaves under the Constitution; and a repeal of those laws would not

be worth one single straw while the sentiment remains. I know from practical observation that in nine cases out of ten you cannot catch a fugitive slave; and I know more than that; you forfeit your life whenever you make the attempt.

One word more: when it is said that this fugitive slave law is obnoxious to the North, and runs counter to these old guarantees concerning personal liberty, I say that the recovery of fugitives from justice is, under the Constitution and under the law, just as summary without trial by jury, and must of necessity be so. Why is not the same complaint made about forgers, and murderers, and scoundrels that steal? Not a word of liberty bills in their behalf; but all for the negro. [Applause in the galleries.]

Mr. WADE. Mr. President, the gentleman says, if I understood him, that these fugitives might be turned over to the authorities of the State from whence they came. That would be a very poor remedy for a free man in humble circumstances who was taken under the provisions of this bill in a summary way, to be carried — where? Where he came from? There is no law that requires that he should be carried there. Sir, if he is a free man he may be carried into the market place anywhere in a slave State; and what chance has he, a poor, ignorant individual, and a stranger, of asserting any rights there, even if there were no prejudices or partialities against him? That would be the mere mockery of justice and nothing else, and the Senator well knows it. Sir, I know that from the stringent, summary provisions of this bill, free men have been kidnapped and carried into captivity and sold into everlasting slavery. Will any man who has a regard to the sovereign rights of the State rise here and complain that a State shall not make a law to protect her own people against kidnapping and violent seizures from abroad? Of all men, I believe those who have made most of these complaints should be the last to rise and deny the power of a sovereign State to protect her own citizens against any Federal legislation whatever. These liberty bills, in my judgment, have been passed, not with a view of degrading the South, but with an honest purpose of guarding the rights of their own citizens from unlawful seizures and abductions. I was exceedingly glad to hear that the Senators on the other side had arisen in their places and had said the repeal of those laws would not relieve the case from the difficulties under which they now labor.

How is it with the execution of your fugitive bill? Sir, I have heard it here, I have read it in the papers, I have met it everywhere, that the people of the free States, and especially the great Republican party, were unfaithful on this subject, and did not properly execute this law. It has been said, with such a tone and under such circumstances here, that, although I was sure that in the State from which I come these insinuations had no foundation in truth, I could not rise here and repel them in the face of those who say, We will not believe a single word you say. I never did, and I never would, until our enemies, those who have ever opposed us and who have censured us upon this subject, had arisen here in their places, and at length, with a magnanimity that I commend, have said that this was not so. My colleague, with a magnanimity for which I give him my thanks, has stood forth here to testify that in the State which I in part represent, the Republican courts and the Republican juries have fulfilled this repulsive duty with perfect faithfulness. So said the Senator from Illinois, [Mr. DOUGLAS;] and if I understood him, so also said the Senator from Indiana, [Mr. FITCH.] Therefore, sir, this calumny upon us is removed so far as the statement of our political enemies can make the averment good. I know that our courts, when a case is brought before them — I do not care what their politics may be — feel bound to administer the law just as they find it; and let me say to gentlemen from the South upon the other side, where you have lost one slave from the unfaithfulness of our legislative or judicial tribunals, we have had ten men murdered by your mobs, frequently under circumstances of the most savage character.

Why, sir, I can hardly take up a paper — and I rely, too, upon southern papers — which does not give an account of the cruel treatment of some man who is traveling for pleasure or for business in your quarter; and the lightest thing you do is to visit him with a vigilance committee, and compel him to return. “We give you so long to make your way out of our coast.” “What is the accusation?” “Why, sir, you are from Ohio.” They do not even inquire what party he belongs to, or what standard he has followed. I say this is the case, if I may rely on the statements of your own papers; and many of these outrages occur under circumstances



of cruelty that would disgrace a savage; and we have no security now in traveling in nearly one-half of the Union, and especially the gulf States of this Confederacy. I care not what a man's character may be: he may be perfectly innocent of every charge; he may be a man who never has violated any law under heaven: and yet if he goes down into those States, and it is ascertained that he is from the North, and especially if he differs from them in the exercise of his political rights, if he has voted for Lincoln instead of for somebody else, it is a mortal offense, punishable by indignity, by tar and feathers, by stripes, and even by death: and yet you, whose constituents are guilty of all these things, can stand forth and accuse us of being unfaithful to the Constitution of the United States! Gentlemen had better look at home.

Gentlemen, it will be very well for us all to take a view of all the phases of this controversy before we come to such conclusions as seem to have been arrived at in some quarters. I make the assertion here that I do not believe, in the history of the world, there ever was a nation or a people where a law repugnant to the general feeling was ever executed with the same faithfulness as has been your most savage and atrocious fugitive bill in the North. You yourselves can scarcely point out any case that has come before any northern tribunal in which the law has not been enforced to the very letter. You ought to know these facts, and you do know them. You all know that when a law is passed anywhere to bind any people, who feel, in conscience, or for any other reason, opposed to its execution, it is not in human nature to enforce it with the same certainty as a law that meets with the approbation of the great mass of the citizens. Every rational man understands this, and every candid man will admit it. Therefore it is that I do not violently impeach you for your unfaithfulness in the execution of many of your laws. You have in South Carolina a law by which you take free citizens of Massachusetts or any other maritime State, who visit the city of Charleston, and lock them up in jail under the penalty, if they cannot pay the jail-fees, of eternal slavery staring them in the face—a monstrous law, revolting to the best feelings of humanity and violently in conflict with the Constitution of the United States. I do not say this by way of recrimination; for the excitement pervading the country is now so great that I do not wish to add a single coal to the flame: but nevertheless I wish the whole truth to appear.

Then, sir, what is it of which complaint is made? You have the legislative power of the country and you have had the Executive of the country, as I have said already. You own the Cabinet, you own the Senate, and, I may add, you own the President of the United States as much as you own the servant upon your own plantation. [Laughter.] I cannot see, then, very clearly, why it is that southern men can rise here and complain of the action of this Government. I have already shown that it is perfectly impossible for you now to point out any act of which the Republican party can possibly be guilty, of which you complain; because at no period yet have they had the power of making any rule or regulation of law that could, by possibility, affect you: and, therefore, I understand that when Senators rise up here to justify the overthrow of this Government, to break it up, to resolve it into its original elements, they do so upon the mere suspicion that the Republican party may somehow affect their rights or violate the Constitution.

Sir, what doctrines do we hold detrimental to you? is the next inquiry that I wish to make. Are we the setters forth of any new doctrines under the Constitution of the United States? I tell you nay. There is no principle held to-day by this great Republican party that has not had the sanction of your Government in every department for more than seventy years. You have changed your opinions. We stand where we used to stand. That is the only difference. Upon the slavery question, the only doctrine you can find touching it in our platform or our action, the only position we occupy in regard to it, is that formerly occupied by the most revered statesmen of this nation. Sir, we stand where Washington stood, where Jefferson stood, where Madison stood, where Monroe stood. We stand where Adams and Jackson, and even Polk, stood. That revered statesman, Henry Clay, of blessed memory, with his dying breath asserted the doctrine that we hold to-day. Why, then, are we held up before the community as violators of your rights? You have come in late in the day to accuse us of harboring these opinions.

I ask, then, what doctrines do we hold of which you can rightfully complain? You have pointed out none. You do not complain of the execution of the fugitive

slave bill; you do not complain of the liberty bills; you do not complain that Mr. Lincoln is a violent man, who will probably do you any injury. The Senator from Georgia told us that he had no apprehensions that Mr. Lincoln, in his administration, would do any act in violation of your rights, or in violation of the Constitution of the United States.

Mr. IVERSON. Will the Senator allow me to ask him when I said that?

Mr. WADE. I do not quote the Senator's words, but I believe I have them here.

Mr. IVERSON. The Senator is mistaken. I made no such remark.

Mr. WADE. Then I would thank the Senator to repeat what his remark was on that point; for I understood him as I have stated.

Mr. IVERSON. I refer the Senator to the record of my speech.

Mr. WADE. I think it is there. I understood the Senator expressly to say what I have stated—I will look up the sentence—that he had not any apprehension that Mr. Lincoln would do anything in violation of the Constitution of the United States; but the Senator's grievance, as I understood it, was, that a hostile Chief Magistrate might, within the power of the Constitution, so administer the Government as to do away with slavery in ten years. That is what I understood him to say.

Mr. IVERSON. I did say, in substance, that the Republican party having the power of the Government, without any palpable violation of the Constitution, might so operate upon the institution of slavery as to affect it, and probably extinguish it; but I did not say that I did not apprehend from Mr. Lincoln any violation of the Constitution of the United States. I do apprehend that he will violate the Constitution whenever he can with impunity; wherever he can affect the institution of slavery by such violation.

Mr. WADE. It is of no great consequence what the Senator said on that subject. I will only say that from Mr. Lincoln's character and conduct, from his youth up, you have no right to draw any inference that he will trespass upon the rights of any man; and if you harbor any such suspicion, it is in consequence of an unwarranted prejudice, and nothing else.

Now, sir, I should like to have the Senators on the other side tell me whenever a Republican has violated, or ever proposed to violate, a right of theirs. I have listened to your arguments here for about a week. They are all in very general terms. They are very loosely drawn indictments, and I do not know where to meet you at all. Is there anything in our platform detrimental to your rights, unless in modern times you have set up a construction of the Constitution of the United States differing from ours?—we following the old beaten track of every department of the Government for more than seventy years, and you switching off, as it were, upon another track, and setting up yours as orthodox—that is all. [Laughter.] You say that we must follow you. We choose to follow the old landmarks. That is the complaint against us.

Now, Mr. President. I have shown, I think, that the dominant majority here have nothing to complain of in the legislation of Congress, or in the legislation of any of the States, or in the practice of the people of the North under the fugitive slave bill, except so far as they say certain State legislation furnishes some evidence of hostility to their institutions. And here, sir, I beg to make an observation. I tell the Senator, and I tell all the Senators, that the Republican party of the northern States, so far as I know, and of my own State in particular, hold the same opinions with regard to this peculiar institution of yours that are held by all the civilized nations of the world. We do not differ from the public sentiment of England, of France, of Germany, of Italy, and every other civilized nation on God's earth; and I tell you frankly that you never found, and you never will find, a free community that are in love with your peculiar institution. The Senator from Texas [Mr. WIGFALL] told us the other day that cotton was king, and that by its influence it would govern all creation. He did not say so in words, but that was the substance of his remark: that cotton was king, and that it had its subjects in Europe who dared not rebel against it. Here let me say to that Senator, in passing, that it turns out that they are very rebellious subjects, and they are talking very disrespectfully at present of that king that he spoke of. They defy you to exercise your power over them. They tell you that they sympathize in this controversy with what you call the Black Republicans. Therefore I hope that, so far as Europe is concerned at least, we shall hear no more of this boast

that cotton is king; and that he is going to rule all the civilized nations of the world, and bring them to his footstool. Sir, it will never be done.

But, sir, I wish to inquire whether the southern people are injured by, or have any just right to complain of, that platform of principles that we put out, and on which we have elected a President and Vice President. I have no concealments to make, and I shall talk to you, my southern friends, precisely as I would talk upon the stump on the subject. I tell you that in that platform we did lay it down that we would, if we had the power, prohibit slavery from another inch of free territory under this Government. I stand on that position to-day. I have argued it probably to half a million people. They stand there, and have commissioned and enjoined me to stand there forever; and, so help me God, I will. I say to you frankly, gentlemen, that while we hold this doctrine, there is no Republican, there is no convention of Republicans, there is no paper that speaks for them, there is no orator that sets forth their doctrines, who ever pretends that they have any right in your States to interfere with your peculiar institution; but, on the other hand, our authoritative platform repudiates the idea that we have any right or any intention ever to invade your peculiar institution in your own States.

Now, what do you complain of? You are going to break up this Government; you are going to involve us in war and blood, from a mere suspicion that we shall do that which we stand everywhere pledged not to do. Would you be justified in the eyes of the civilized world in taking so monstrous a position, and predicating it on a bare, groundless suspicion? We do not love slavery. Did you not know that before to-day? before this session commenced? Have you not a perfect confidence that the civilized world are against you on this subject of loving slavery or believing that it is the best institution in the world? Why, sir, everything remains precisely as it was a year ago. No great catastrophe has occurred. There is no recent occasion to accuse us of anything. But all at once, when we meet here, a kind of gloom pervades the whole community and the Senate Chamber. Gentlemen rise and tell us that they are on the eve of breaking up this Government, that seven or eight States are going to break off their connection with the Government, retire from the Union, and set up a hostile Government of their own, and they look imploringly over to us, and say to us, "You can prevent it; we can do nothing to prevent it; but it all lies with you." Well, sir, what can we do to prevent it? You have not even condescended to tell us what you want; but I think I see through the speeches that I have heard from gentlemen on the other side. If we would give up the verdict of the people, and take your platform, I do not know but you would be satisfied with it. I think the Senator from Texas rather intimated, and I think the Senator from Georgia more than intimated, that if we would take what is exactly the Charleston platform on which Mr. Breckinridge was placed, and give up that on which we won our victory, you would grudgingly and hesitatingly be satisfied.

Mr. IVERSON. I would prefer that the Senator would look over my remarks before quoting them so confidently. I made no such statement as that. I did not say that I would be satisfied with any such thing. I would not be satisfied with it.

Mr. WADE. I did not say that the Senator said so; but by construction I gathered that from his speech. I do not know that I was right in it.

Mr. IVERSON. The Senator is altogether wrong in his construction.

Mr. WADE. Well, sir, I have now found what the Senator said on the other point to which he called my attention a little while ago. Here it is:

"Nor do we suppose that there will be any overt acts upon the part of Mr. Lincoln. For one, I do not dread these overt acts. I do not propose to wait for them. Why, sir, the power of this Federal Government could be so exercised against the institution of slavery in the southern States, as that, without an overt act, the institution would not last ten years. We know that, sir; and seeing the storm which is approaching, although it may be seemingly in the distance, we are determined to seek our own safety and security before it shall burst upon us and overwhelm us with its fury, when we are not in a situation to defend ourselves."

That is what the Senator said.

Mr. IVERSON. Yes; that is what I said.

Mr. WADE. Well, then you did not expect that Mr. Lincoln would commit any overt act against the Constitution—that was not it—you were not going to wait for that, but were going to proceed on your supposition that probably he might; and that is the sense of what I said before.

Well, Mr. President, I have disavowed all intention on the part of the Republican party to harm a hair of your heads anywhere. We hold to no doctrine that can possibly work you an inconvenience. We have been faithful to the execution of all the laws in which you have any interest, as stands confessed on this floor by your own party, and as is known to me without their confessions. It is not, then, that Mr. Lincoln is expected to do any overt act by which you may be injured; you will not wait for any; but anticipating that the Government may work an injury, you say you will put an end to it, which means simply that you intend either to rule or ruin this Government. That is what your complaint comes to; nothing else. We do not like your institution, you say. Well, we never liked it any better than we do now. You might as well have dissolved the Union at any other period as now, on that account, for we stand in relation to it precisely as we have ever stood: that is, repudiating it among ourselves as a matter of policy and morals, but nevertheless admitting that where it is out of our jurisdiction, we have no hold upon it, and no designs upon it.

Then, sir, as there is nothing in the platform on which Mr. Lincoln was elected of which you complain, I ask, is there anything in the character of the President elect of which you ought to complain? Has he not lived a blameless life? Did he ever transgress any law? Has he ever committed any violation of duty of which the most scrupulous can complain? Why, then, your suspicions that he will? I have shown that you have had the Government all the time until, by some misfortune or maladministration, you brought it to the very verge of destruction, and the wisdom of the people had discovered that it was high time that the scepter should depart from you, and be placed in more competent hands: I say that this being so, you have no constitutional right to complain; especially when we disavow any intention so to make use of the victory we have won as to injure you at all.

This brings me, sir, to the question of compromises. On the first day of this session, a Senator rose in his place and offered a resolution for the appointment of a committee to inquire into the evils that exist between the different sections, and to ascertain what can be done to settle this great difficulty! That is the proposition, substantially. I tell the Senator that I know of no difficulty; and as to compromises, I had supposed that we were all agreed that the day of compromises was at an end. The most solemn compromises we have ever made have been violated without a whereas. Since I have had a seat in this body, one of considerable antiquity, that had stood for more than thirty years, was swept away from your statute-books. When I stood here in the minority arguing against it; when I asked you to withhold your hand; when I told you it was a sacred compromise between the sections, and that when it was removed we should be brought face to face with all that sectional bitterness that has intervened; when I told you that it was a sacred compromise which no man should touch with his finger, what was your reply? That it was a mere act of Congress—nothing more, nothing less—and that it could be swept away by the same majority that passed it. That was true in point of fact, and true in point of law; but it showed the weakness of compromises. Now, sir, I only speak for myself; and I say that, in view of the manner in which other compromises have been heretofore treated, I should hardly think any two of the Democratic party would look each other in the face and say "compromise" without a smile. [Laughter.] A compromise to be brought about by act of Congress, after the experience we have had, is absolutely ridiculous.

But what have we to compromise? Sir, I am one of those who went forth with zeal to maintain the principles of the great Republican party. In a constitutional way we met, as you met. We nominated our candidates for President and Vice President, and you did the same for yourselves. The issue was made up; and we went to the people upon it. Although we have been usually in the minority; although we have been generally beaten, yet, this time, the justice of our principles, and the maladministration of the Government in your hands, convinced the people that a change ought to be wrought; and after you had tried your utmost, and we had tried our utmost, we beat you; and we beat you upon the plainest and most palpable issue that ever was presented to the American people, and one that they understood the best. There is no mistaking it; and now, when we come to the Capitol, I tell you that our President and our Vice President must be inaugurated, and administer the Government as all their predecessors have done. Sir, it would

be humiliating and dishonorable to us if we were to listen to a compromise by which he who has the verdict of the people in his pocket, should make his way to the presidential chair. When it comes to that, you have no government; anarchy intervenes; civil war may follow it; all the evils that may come to the human imagination may be consequent upon such a course as that the moment the American people cut loose from the sheet anchor of free government and liberty — that is, whenever it is denied in this Government that a majority fairly given shall rule, the people are unworthy of free government. Sir, I know not what others may do; but I tell you that, with the verdict of the people given in favor of the platform upon which our candidates have been elected, so far as I am concerned, I would suffer anything to come before I would compromise that away. I regard it as a case where I have no right to extend comity or generosity. A right, an absolute right, the most sacred that a free people can ever bestow on any man, is their undisguised, fair verdict, that gives him a title to the office that he is chosen to fill; and he is recreant to the principle of free government who will ask a question beyond the fact whether a man has the verdict of the people, or if he will entertain for a moment a proposition in addition to that. It is all I want. If we cannot stand there, we cannot stand anywhere. Any other principle than that would be as fatal to you, as to us. On any other principle, anarchy must immediately ensue.

You say that he comes from a particular section of the country. What of that? If he is an honest man, bound by his constitutional duties, has he not as good a right to come from one side as the other? Here, gentleman, we ought to understand each other. I appeal to every candid man upon the other side, and I put this question: if you had elected your candidate, Mr. Breckinridge, although we should have been a good deal disheartened, as everybody is that loses his choice in such a matter as this; although it would have been an overthrow that we should have deplored very much, as we have had occasion almost always to deplore the result of national elections, still do you believe that we would have raised a hand against the Constitution of our country because we were fairly beaten in an election? Sir, I do not believe there is a man on the other side who will not do us more credit than to suppose that if the case were reversed, there would be any complaint on our side. There never has been any from us under similar circumstances, and there would not be now. Sir, I think we have patriotism enough to overcome the pride and the prejudice of the canvass, and submit gracefully to the unmistakable verdict of the people; and as I have shown that you have nothing else to complain of, I take it that this is your complaint. Some of you have said that the election of Mr. Lincoln showed hostility to you and your institution. Sir, it is the common fate of parties to differ, and one does not intend to follow exactly the course of policy of the other; but when you talk of constitutional rights and duties, honest men will observe them alike, no matter to what party they belong.

I say, then, that so far as I am concerned, I will yield to no compromise. I do not come here begging, either. It would be an indignity to the people that I represent if I were to stand here parleying as to the rights of the party to which I belong. We have won our right to the Chief Magistracy of this nation in the way that you have always won your predominance; and if you are as willing to do justice to others as to exact it from them, you would never raise an inquiry as to a committee for compromises. Here I beg, barely for myself, to say one thing more. Many of you stand in an attitude hostile to this Government: that is to say, you occupy an attitude where you threaten that, unless we do so and so, you will go out of this Union and destroy the Government. I say to you, for myself, that, in my private capacity, I never yielded to anything by the way of threat, and in my public capacity I have no right to yield to any such thing; and therefore I would not entertain a proposition for any compromise; for, in my judgment, this long, chronic controversy that has existed between us must be met, and met upon the principles of the Constitution and laws, and met now. I hope it may be adjusted to the satisfaction of all; and I know no other way to adjust it, except that way which is laid down by the Constitution of the United States. Whenever we go astray from that, we are sure to plunge ourselves into difficulties. The old Constitution of the United States, although commonly and frequently in direct opposition to what I could wish, nevertheless, in my judgment, is the wisest and best Constitution that ever yet organized a free Government; and by its provisions I

am willing, and intend, to stand or fall. Like the Senator from Mississippi, I ask nothing more. I ask no ingrafting upon it. I ask nothing to be taken away from it. Under its provisions a nation has grown faster than any other in the history of the world ever did before in prosperity, in power, and in all that makes a nation great and glorious. It has ministered to the advantages of this people; and now I am unwilling to add or take away anything till I can see much clearer than I can now that it wants either any addition or lopping off.

There is one other subject about which I ought to say something. On that side of the Chamber, you claim the constitutional right, if I understand you, to secede from the Government at pleasure, and set up an adverse Government of your own; that one State, or any number of States, have a perfect constitutional right to do it. Sir, I can find no warrant in the Constitution for any doctrine like that. In my judgment, it would be subversive of all constitutional obligation. If this is so, we really have not now, and never have had, a Government; for that certainly is no Government of which a State can do just as it pleases, any more than it would be of an individual. How can a man be said to be governed by law, if he will obey the law or not, just as he sees fit? It puts you out of the pale of Government, and reduces this Union of ours, of which we have all boasted so much, to a mere conglomeration of States, to be held at the will of any capricious member of it. As to South Carolina, I will say that she is a small State; and probably, if she were sunk by an earthquake to-day, we would hardly ever find it out, except by the unwonted harmony that might prevail in this Chamber. [Laughter.] But I think she is unwise. I would be willing that she should go her own gait, provided we could do it without an example fatal to all government; but standing here in the highest council of the nation, my own wishes, if I had any, must be under the control of my constitutional duty.

I do not see how any man can contend that a State can go out of this Union at pleasure, though I do not propose now to argue that question, because that has been done by men infinitely more able to argue it than I am. When it was raised some thirty years ago, and challenged the investigation of the best minds of this nation of all parties, it received a verdict that I supposed had put it at rest forever. General Jackson, with all the eminent men that surrounded him in his Cabinet, and in the councils of the nation, with hardly any exception, except Mr. Calhoun, held that the doctrine was a delusion, not to be found in the Constitution of the United States; and not only so, but utterly destructive of all Governments. Mr. Calhoun held the contrary. Mr. Webster, in his great controversy with Mr. Hayne upon that subject, was supposed to have overthrown him, even upon nullification, so utterly, that it was believed at the time that the doctrine could never arise or sprout up again. But here it is to-day in full bloom and glory: a State has a right to secede. Mr. Calhoun did not hold so. He held that a State had a right to nullify a law of Congress that they believed to be unconstitutional. He took that distinction between the power of a State to nullify a law of Congress and secession. Grounding herself upon the resolutions of 1798-99, he held that a State, in her sovereign capacity, judging in the last resort as to whether a law was warranted by the Constitution or not, must be the sole judge of the infraction of the Constitution by the enactment of a law, and also of the mode of remedy. In that, he hardly had a second at that period. But when you come to the doctrine of secession, he himself says that that is not a constitutional remedy. He did not treat it as such. Nay, sir, he goes much further than the President of the United States has gone in his message, in which he declares that the United States has no power to make war upon a seceding State. Mr. Calhoun says we undoubtedly have that power. One remedy he calls peaceable and constitutional, and the other not. I have not the book with me; I intended to have brought it, but forgot it; but you will find this doctrine laid down in his famous letter to Governor Hamilton, taking and working out the distinction between peaceable nullification and secession, that puts an end to all the relationship between the General Government and the State, and enables the General Government, if they see fit, to declare war upon such a State. Therefore I take it that a State has no constitutional right to go out of this Government.

I acknowledge, to the fullest extent, the right of revolution, if you may call it a right, and the destruction of the Government under which we live, if we are discontented with it, and on its ruins to erect another more in accordance with

our wishes. I believe nobody at this day denies the right; but they that undertake it, undertake it with this hazard: if they are successful, then all is right, and they are heroes; if they are defeated, they are rebels. That is the character of all revolution: if successful, of course it is well; if unsuccessful, then the Government from which they have rebelled treats them as traitors.

I do not say this because I apprehend that any party intends to make war upon a seceding State. I only assert their right from the nature of the act, if they see fit to do so; but I would not advise nor counsel it. I should be very tender of the rights of a people, if I had full power over them, who are about to destroy a Government which they deliberately come to the conclusion they cannot live under; but I am persuaded that the necessities of our position compel us to take a more austere ground, and hold that if a State secedes, although we will not make war upon her, we cannot recognize her right to be out of the Union, and she is not out until she gains the consent of the Union itself; and that the Chief Magistrate of the nation, be he who he may, will find under the Constitution of the United States that it is his sworn duty to execute the law in every part and parcel of this Government; that he cannot be released from that obligation; for there is nothing in the Constitution of the United States that would warrant him in saying that a single star has fallen from this galaxy of stars in the Confederacy. He is sworn not to know that a State has seceded, or pay the least respect to their resolutions that claim they have. What follows? Not that we would make war upon her, but we should have to exercise every Federal right over her if we had the power; and the most important of these would be the collection of the revenues. There are many rights that the Federal Government exercises over the States for the peculiar benefit of the people there, which, if they did not want, they could dispense with. If they did not want the mails carried there, the President might abolish the offices, and cease to carry their mails. They might forego any such duty peculiarly for the benefit of the people. They might not elect their officers and send them here. It is a privilege they have; but we cannot force them to do it. They have the right under the Constitution to be represented upon equal terms with any other State; but if they see fit to forego that right; and do not claim it, it is not incumbent upon the President to endeavor to force them to do an act of that kind.

But when you come to those duties which impose obligations upon them, in common with the other members of the Confederacy, he cannot be released from his duty. Therefore, it will be incumbent on the Chief Magistrate to proceed to collect the revenue of ships entering their ports, precisely in the same way and to the same extent that he does now in every other State of the Union. We cannot release him from that obligation. The Constitution, in thunder tones, demands that he shall do it alike in the ports of every State. What follows? Why, sir, if he shuts up the ports of entry so that a ship cannot discharge her cargo there or get papers for another voyage, then ships will cease to trade; or, if he undertakes to blockade her, and thus collect it, she has not gained her independence by secession. What must she do? If she is contented to live in this equivocal state all would be well, perhaps; but she could not live there. No people in the world could live in that condition. What will they do? They must take the initiative and declare war upon the United States; and the moment that they levy war force must be met by force; and they must, therefore, hew out their independence by violence and war. There is no other way under the Constitution, that I know of, whereby a Chief Magistrate of any politics could be released from this duty. If this State, though seceding, should declare war against the United States, I do not suppose there is a lawyer in this body but what would say that the act of levying war is treason against the United States. That is where it results. We might just as well look the matter right in the face.

The Senator from Texas says—it is not exactly his language—we will force you to an ignominious treaty up in Faneuil Hall. Well, sir, you may. We know you are brave; we understand your prowess; we want no fight with you; but, nevertheless, if you drive us to that necessity, we must use all the powers of this Government to maintain it intact in its integrity. If we are overthrown, we but share the fate of a thousand other Governments that have been subverted. If you are the weakest, then you must go to the wall; and that is all there is about it.

That is the condition in which we stand, provided a State sets herself up in opposition to the General Government.

I say that is the way it seems to me, as a lawyer. I see no power in the Constitution to release a Senator from this position. Sir, if there was any other, if there was an absolute right of secession in the Constitution of the United States when we stepped up there to take our oath of office, why was there not an exception in that oath? Why did it not run "that we would support the Constitution of the United States unless our State shall secede before our term was out?" Sir, there is no such immunity. There is no way by which this can be done that I can conceive of, except it is standing upon the Constitution of the United States, demanding equal justice for all, and vindicating the old flag of the Union. We must maintain it, unless we are cloven down by superior force.

Well, sir, it may happen that you can make your way out of the Union, and that by levying war upon the Government, you may vindicate your right to independence. If you should do so, I have a policy in my mind. No man would regret more than myself that any portion of the people of these United States should think themselves impelled, by grievances or anything else, to depart out of this Union, and raise a foreign flag and a band against the General Government. If there was any just cause on God's earth that I could see that was within my reach, of honorable release from any such pretended grievance, they should have it; but they have set forth none; I can see none. It is all a matter of prejudice, superinduced unfortunately, I believe, as I intimated before, more because you have listened to the enemies of the Republican party and what they said of us, while, from your intolerance, you have shut out all light as to what our real principles are. We have been called and branded in the North and in the South and everywhere else, as John Brown men, as men hostile to your institutions, as meditating an attack upon your institutions in your own States—a thing that no Republican ever dreamed of or ever thought of, but has protested against as often as the question has been up; but your people believe it. No doubt they believe it because of the terrible excitement and reign of terror that prevails there. No doubt they think so, but it arises from false information, or the want of information—that is all. Their prejudices have been appealed to until they have become uncontrolled and uncontrollable.

Well, sir, if it shall be so; if that "glorious Union," as we all call it, under which the Government has so long lived and prospered, is now about to come to a final end, as perhaps it may, I have been looking around to see what policy we should adopt; and through that gloom which has been mentioned on the other side, if you will have it so, I still see a glorious future for those who stand by the old flag of the nation. There lie the fair fields of Mexico all before us. The people they are prejudiced against you. They fear you intend to overrun and enslave them. You are slavery propaganda, and you are fillibusters. That has raised a violent antagonism between you and them. But, sir, if we were once released from all obligation to this institution, in six months they would invite us to take a protectorate over them. They owe England a large debt, and she has been coaxing and inviting us to take the protectorate of that nation. They will aid us in it; and I say to the commercial men of the North, if you go along with me, and adopt this policy, if we must come to this, you will be seven-fold indemnified by the trade and commerce of that country for what you lose by the secession. Talk about eating ice and granite in the North! Why, sir, Great Britain now carries on a commerce with Mexico to the amount of nearly a hundred million dollars. How much of it do we get? Only about eight million. Why so? Because, by our treatment of Mexico, we have led them to fear and to hate us; and they have been compelled, by our illiberal policy, to place themselves under the shadow of a stronger nation for their own protection.

The Senator from Illinois [Mr. DOUGLAS] and my colleague [Mr. PUGH] have said that we Black Republicans were advocates of negro equality, and that we wanted to build up a black government. Sir, it will be one of the most blessed ideas of the times, if it shall come to this, that we will make inducements for every free black among us to find his home in a more congenial climate in Central America or in Lower Mexico, and we will be divested of every one of them; and then, endowed with a splendid domain that we shall get, we will adopt a homestead policy, and we will invite the poor, the destitute, industrious white men from every clime un-



der heaven, to come in there and make his fortune. So, sir, we will build up a nation, renovated by this process, of white laboring men. You may build yours up on compulsory servile labor, and the two will flourish side by side; and we shall very soon see whether your principles, or that state of society, or ours, is the most prosperous or vigorous. I might say, sir, that, divested of this institution, who doubts that the provinces of Canada would knock at our doors in a day? Therefore, my friends, we have all the elements for building up an empire—a Republic, founded on the great principles of the Declaration of Independence, that shall be more magnificent, more powerful, and more just than this world has ever seen at any other period. I do not know that I should have a single second for this policy; but it is a policy that occurs to me, and it reconciles me in some measure to the threatened loss or secession of these States.

But, sir, I am for maintaining the Union of these States. I will sacrifice everything but honor to maintain it. That glorious old flag of ours, by any act of mine, shall never cease to wave over the integrity of this Union as it is. But if they will not have it so, in this new, renovated Government of which I have spoken, the 4th of July, with all its glorious memories, will never be repealed. The old flag of 1776 will be in our hands, and shall float over this nation forever; and this Capitol, that some gentlemen said would be reserved for the southern republic, shall still be the Capitol. It was laid out by Washington; it was consecrated by him; and the old flag that he vindicated in the Revolution shall still float from the Capitol. [Applause in the galleries.]

The PRESIDING OFFICER. The Sergeant-at-Arms will take proper measures to preserve order in the gallery or clear it.

Mr. WADE. I say, sir, I stand by the Union of the States. Washington and his compatriots fought for that good old flag. It shall never be hauled down, but shall be the glory of the Government to which I belong, as long as my life shall continue. To maintain it, Washington and his compatriots fought for liberty and the rights of man. And here I will add that my own father, although but a humble soldier, fought in the same great cause, and went through hardships and privations sevenfold worse than death in order to bequeath it to his children. It is my inheritance. It was my protector in infancy, and the pride and glory of my riper years; and Mr. President, although it may be assailed by traitors on every side, by the grace of God, under its shadow I will die.

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